

MORGAN L. FITCH, JR.
FRANCIS A. EVEN*
JULIUS TABIN
JOHN F. FLANNERY
ROBERT B. JONES
JAMES J. SCHUMANN
JAMES J. HAMILL
TIMOTHY E. LEVSTIK
JOSEPH E. SHIPLEY
ROBERT J. FOX
KENNETH H. SAMPLES
PHILIP T. PETTI
JOSEPH T. NABOR
STEVEN C. SCHROER
RICHARD A. KABA*
KARL R. FINK
MARK W. HETZLER
TIMOTHY P. MALONEY
PERRY J. HOFFMAN
JAMES P. KRUEGER
STEPHEN S. FAVAKEH
EDWARD W. GRAY, JR.*



FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

Established in 1859

SUITE 401L - 1801 K STREET, NW
WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000
FACSIMILE (202) 419-7007

CHICAGO OFFICE
SUITE 1600 - 120 SOUTH LASALLE STREET
CHICAGO, ILLINOIS 60603-3406
TELEPHONE (312) 577-7000

CALIFORNIA OFFICE
SUITE 510 - 4250 EXECUTIVE SQUARE
SAN DIEGO, CALIFORNIA 92037-9105
TELEPHONE (858) 552-1311

COLORADO OFFICE
SUITE 213 - 1942 BROADWAY
BOULDER, COLORADO 80302
TELEPHONE (303) 402-6966

BRUCE R. MANSFIELD
SHERRI N. BLOUNT*
RICHARD E. WAWRZYNIAK
CHARLES WILLIAM PETERSON, JR.
KATHLEEN A. RANNEY
KENDREW H. COLTON*
ROMI N. BOSE
STEVEN G. PARMELEE

CHRISTOPHER E. GEORGE*
SCOTT J. MENGHINI
EDWARD E. CLAIR
PAMELA L. STEWART
SANDRA V. SCAVO
JON A. BIRMINGHAM
RUDY KRATZ
RAMON R. HOCH
JOHN E. LYHUS
STEVEN M. FREELAND
DONNA E. BECKER

PATENT AGENTS

ERIC J. WHITESELL
KURT J. FUGMAN
JONATHAN H. BACKENSTOSE
LILIA I. SAFONOV

OF COUNSEL

THOMAS F. LEBENS

*ADMITTED TO D.C. BAR; D.C. PRACTICE
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August 6, 2002

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AUG 07 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, DC 20231

Re: Amendment and Response
Appl. No.: 09/873,409
Filed: June 5, 2001
Title: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein Homologue on Chromosome 7p15-21 and Uses Thereof**
Inventor(s): Frank, *et al.*
Atty. Dkt.: 7570/73298

Dear Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Amendment and Response Under 37 C.F.R. § 1.111;
2. Change of Address Notice; and
3. One return postcard.

Assistant Commissioner for Patents
August 6, 2002
Page 2

CALCULATION OF ADDITIONAL FEES

Applicant(s) have calculated additional fees as follows:

	No. After Amendment	No. Previously Paid for	No. Extra	Rate	Fee
Total Claims Fee	23	25=	0	\$ 18.00	0.00
Independent Claims Fee	5	5 =	0	\$ 78.00	0.00
Multiple Dependent Claims Fee (Previously Paid)	0	0	0	\$ 280.00	0.00
Total Additional Claims Fee					0.00
Extension of Time Fee					0.00
TOTAL FEES DUE					0.00

Applicants do not believe that any fees are due for the filing of these documents. However, The Commissioner is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7570/73298.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

MAS:ct
Enclosures



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JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Frank, *et al.*

Appl. No.: 09/873,409

Filed: June 5, 2001

For: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein Homologue on Chromosome 7p15-21 and Uses Thereof**

Art Unit: 1642

Examiner: Davis, N.

Atty. Dkt.: 7570/73298

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TECH CENTER 1600/2900

Amendment and Response Under 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated May 7, 2002, Applicants respectfully request reconsideration of the above-captioned application in view of the following amendments and remarks.

Amendments

In the Claims:

Please cancel claims 5-7 and 9 without prejudice.

Please add new claims 18-40 as follows:

- 18. A substantially pure polynucleotide consisting of a nucleotide sequence encoding a protein consisting essentially of an amino acid sequence selected from the group consisting of: SEQ ID NO:1; SEQ ID NO:2; SEQ ID NO:3; SEQ ID NO:4; SEQ ID NO:5; SEQ ID NO:6; SEQ ID NO:7; and SEQ ID NO:8.
- A 1
19. The polynucleotide of claim 18, wherein said polynucleotide encodes a protein consisting essentially of the amino acid sequence of SEQ ID NO:1.